

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KARLIS RUBEN AUGUSTUS
HOWARD,

Plaintiff,

v.

RODRIGUEZ,

Defendant.

Case No. 1:24-cv-00285 JLT SAB (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF'S MOTION FOR TEMPORARY
RESTRAINING ORDER**

(Docs. 19, 21)

Karlis Ruben Augustus Howard seeks to hold Defendant Rodriguez liable for a violation of his civil rights and negligence in this action. (*See* Doc. 16.) Plaintiff now seeks a temporary restraining order against inmate Scott Stansell, asserting that he assaulted Plaintiff and caused physical injury. (Doc. 19.)

The magistrate judge found Plaintiff failed to show he was entitled to the requested relief and recommended the motion be denied. (Doc. 21.) The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days. (*Id.* at 5.) The Court advised Plaintiff that the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case. Having carefully reviewed the matter, the Court concludes the Findings and Recommendations

are supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The Findings and Recommendations dated August 23, 2024 (Doc. 21) are **ADOPTED** in full.
2. Plaintiff's request for a temporary restraining order (Doc. 19) is **DENIED**.

IT IS SO ORDERED.

Dated: **September 16, 2024**


UNITED STATES DISTRICT JUDGE